

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT  
DOCKETING STATEMENT--CIVIL/AGENCY CASES**

**Directions:** Counsel must make a **docketing statement (civil/agency) filed** entry in CM/ECF within 14 days of docketing of the appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form with any extended answers and (2) any transcript order form. Parties proceeding pro se are not required to file a docketing statement. Opposing counsel who finds a docketing statement inaccurate or incomplete may file any objections within 10 days of service of the docketing statement using the ECF event-**docketing statement objection/correction filed**.

<b>Appeal No. &amp; Caption</b>	21-2263, Students for Fair Admissions, Inc. v. UNC
<b>Originating No. &amp; Caption</b>	1:14-cv-954, Students for Fair Admissions, Inc. v. UNC
<b>Originating Court/Agency</b>	Middle District of North Carolina

<b>Jurisdiction</b> (answer any that apply)		
Statute establishing jurisdiction in Court of Appeals	28 U.S.C. 1291	
Time allowed for filing in Court of Appeals	30 days	
Date of entry of order or judgment appealed	11-4-2021	
Date notice of appeal or petition for review filed	11-6-2021	
If cross appeal, date first appeal filed		
Date of filing any post-judgment motion		
Date order entered disposing of any post-judgment motion		
Date of filing any motion to extend appeal period		
Time for filing appeal extended to		
Is appeal from final judgment or order?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If appeal is not from final judgment, why is order appealable?		

<b>Settlement</b> (The docketing statement is used by the circuit mediator in pre-briefing review and mediation conducted under Local Rule 33. Counsel may make a confidential request for mediation by calling the Office of the Circuit Mediator at 843-731-9099.)		
Is settlement being discussed?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

<b>Transcript</b> (transcript order must be attached if transcript is needed and not yet on file)		
Is transcript needed for this appeal?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Has transcript been filed in district court?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is transcript order attached?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

<b>Case Handling Requirements</b> (answer any that apply)		
Case number of any prior appeal in same case		
Case number of any pending appeal in same case	Cert. before judg't pet'n, No. 21-707 (S.Ct.)	
Identification of any case pending in this Court or Supreme Court raising similar issue	SFFA v. Harvard, No. 20-1199	
	If abeyance or consolidation is warranted, counsel must file an appropriate motion.	
Is expedited disposition necessary?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, motion to expedite must be filed.	
Is oral argument necessary?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does case involve question of first impression?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does appeal challenge constitutionality of federal or state statute in case to which federal or state government is not a party	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, notice re: challenge to constitutionality of law must be filed.	

<b>Nature of Case</b> (Nature of case and disposition below. Attach additional page if necessary.)
<p>UNC-Chapel Hill uses race as a factor in its admissions process. SFFA brought this lawsuit on behalf of its members who were denied admission at UNC. SFFA contends that UNC's use of race is impermissible under the Fourteenth Amendment of the U.S. Constitution and Title VI of the Civil Rights Act of 1964.</p>

**Issues** (Non-binding statement of issues on appeal. Attach additional page if necessary)

Whether UNC's race-based admissions program violates the Fourteenth Amendment and Title VI.

**Adverse Parties** (List adverse parties to this appeal and their attorneys; provide party's address if the party is not represented by counsel. Attach additional page if necessary.)

Adverse Party: See attached

Attorney:  
Address:

E-mail:

Phone:

Adverse Party:

Attorney:  
Address:

E-mail:

Phone:

**Adverse Parties (continued)**

Adverse Party:

Attorney:  
Address:

E-mail:

Phone:

Adverse Party:

Attorney:  
Address:

E-mail:

Phone:

<b>Appellant</b> (Attach additional page if necessary.)	
Name:   Attorney: Address:   E-mail:  Phone:	Name:   Attorney: Address:   E-mail:  Phone:
<b>Appellant (continued)</b>	
Name:   Attorney: Address:   E-mail:  Phone:	Name:   Attorney: Address:   E-mail:  Phone:
<b>Signature:</b> <u>/s/ Thomas R. McCarthy</u> <b>Date:</b> <u>11-24-2021</u>	
<b>Counsel for:</b> <u>Appellant</u>	
<b>Certificate of Service</b> (required for parties served outside CM/ECF): I certify that this document was served on <u>11-24-21</u> by <input type="checkbox"/> personal delivery; <input type="checkbox"/> mail; <input type="checkbox"/> third-party commercial carrier; or <input checked="" type="checkbox"/> email (with written consent) on the following persons at the addresses or email addresses shown:	
Stephanie A. Brennan, sbrennan@ncdoj.gov Lara A. Flath, lara.flath@skadden.com Tamika Lynn Henderson, tlhenderson@ncdoj.gov Ryan Y. Park, rpark@ncdoj.gov Jack Holtzman, jack@ncjustice.org Sasha Minh Samberg-Champion, ssamberg-champion@relmanlaw.com	Genevieve Torres, gbonadies@lawyerscommittee.org Reed Neill Colfax, rcolfax@relmanlaw.com Emily Price Turner, emilyt@ncjustice.org Jon Greenbaum, jgreenbaum@lawyerscommittee.org
Signature: <u>/s/ Thomas R. McCarthy</u>	Date: <u>11-24-2021</u>

**Defendants**

**UNIVERSITY OF  
NORTH  
CAROLINA**

**UNIVERSITY OF  
NORTH  
CAROLINA  
BOARD OF  
GOVERNORS**

**JOHN C.  
FENNEBRESQUE**

**W. LOUIS  
BISSETTE, JR.**

**JOAN  
TEMPLETON  
PERRY**

**ROGER AIKEN**

**HANNAH D.  
GAGE**

**ANN B.  
GOODNIGHT**

**H. FRANK  
FRAINGER**

**PETER D. HANS**

**THOMAS J.  
HARRELSON**

**HENRY W.  
HINTON**

**JAMES L.  
HOLMES, JR.**

**RODNEY E.  
HOOD**

W. MARTY  
KOTIS, III

G. LEROY LAIL

SCOTT LAMPE

STEVEN B.  
LONG

JOAN G.  
MACNEILL

MARY ANN  
MAXWELL

W. EDWIN  
MCMAHAN

W.G. CHAMPION  
MITCHELL

HARI H. MATH

ANNA  
SPANGLER  
NELSON

ALEX PARKER

R. DOYLE  
PARRISH

THERENCE O.  
PICKETT

DAVID M.  
POWERS

ROBERT S.  
RIPPY

HARRY LEO  
SMITH, JR.

J. CRAIG SOUZA

GEORGE A.  
SYWASSINK

**RICHARD F.  
TAYLOR**

**RAIFORD TRASK,  
III**

**PHILLIP D.  
WALKER**

**LAURA I. WILEY**

**THOMAS W.  
ROSS**

*President of the  
University of North  
Carolina in his Official  
Capacity*

**UNIVERSITY OF  
NORTH  
CAROLINA AT  
CHAPEL HILL**

**CAROL L. FOLT**  
*Chancellor of the  
University of North  
Carolina at Chapel Hill  
in her Official Capacity*

represented by **PATRICK J. FITZGERALD**  
155 N. Wacker Dr., 27th Floor  
Chicago, IL 60606  
patrick.fitzgerald@skadden.com  
312-407-0700

**Intervenor  
Defendants**

**CECILIA  
POLANCE**

**LUIS ACOSTA**

**STAR WINGATE-  
BEY**

**LAURA  
ORNELAS**

**KEVIN MILLS**  
*on behalf of Q.M.*

**ANGIE MILLS**  
*on behalf of Q.M.*

**CHRISTOPHER  
JACKSON**

**JULIA NIEVES**  
*on behalf of I.N.*

**TAMIKA  
WILLIAMS**  
*on behalf of A.J.*

**RAMONIA  
JONES**

**ANDREW  
BRENNAN**

represented by

**DAVID G. HINOJOSA**  
1500 K ST., NW, Ste. 900  
Washington, D.C. 20005  
dhinojosa@lawyerscommittee.org  
202-662-8600